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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RIGHTHAVEN LLC, a Nevada limited liability company Plaintiff, v. REALTY ONE GROUP, INC., a Nevada corporation; DAVID TINA, an individual; and MICHAEL J. NELSON, an individual, Defendants.	Case No.: 2:10-cv-01036-LRH-PAL Assigned For All Purposes To: Hon. Judge Larry R. Hicks Courtroom: DEFENDANT REALTY ONE GROUP, INC.'S REPLY TO OPPOSITION TO MOTION TO SET ASIDE DEFAULT Complaint Filed: **06/10/2010**

Realty One Group, Inc. ("Realty One") submits the following reply to Plaintiff's response to the motion to set aside default:

Plaintiff Righthaven, LLC does not oppose Realty One's motion to set aside default and Realty One is therefore entitled to the relief sought in its motion. Plaintiff agrees that "relief from entry of default is appropriate" and acknowledges that Realty One "is equally entitled to dismissal based on the findings of fact and conclusions of law reached in the October 18th Order." (Doc. # 22, p. 2, lines 24-28.) "Righthaven maintains that Realty One should be granted relief from the default . . . ." (Doc. #22, p. 3, lines 16-17.) "Righthaven concedes that Realty One has demonstrated 'good cause' for relief from entry of default in view of its entitlement to the benefits conferred by the Court's October 18th Order." (Doc. #22, p. 5, lines 9-11.)

Plaintiff contends the cases cited in its response "certainly empower the Court to dismiss Righthaven's claims against Realty One based on the October 18th Order." (Doc. #22, p. 4, lines 25-26.) "Righthaven further maintains that Realty One's entitlement to the benefit of the October 18th Order should extend to a dismissal of the infringement claims against it." (Doc. #22, p. 7, lines 8-10.)

As a result of Plaintiff's non-opposition and concession that Realty One is entitled to a dismissal of this action, Realty One respectfully requests the Court to set aside the default entered against it on or about October 6, 2010 and then dismiss the action with prejudice.

Dated: January 24, 2011

SKANE WILCOX LLP

By: ______________________

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